

Rec'd

MAR 17 2016

March 17, 2016

Superintendent MCS

TO: Mr. Richard Goodright, Superintendent  
Mr. Mark Fortner, Assistant Superintendent

CC: Kathy McKinley, Attorney

FROM: Nicole Poston, Group Teacher

RE: ADA Complaints

Dear Mr. Goodright and Mr. Fortner,

On November 4, 2015 and again on December 14, 2015, I met with Ms. Donovan regarding my 13 ADA complaints that I have filed with the district, as she was identified as the Designated Compliance Officer for Massillon City School District. She provided responses to those discussions about the complaints on November 25, 2015 and again on December 16, 2015 (see attached documents). One of the recommendations she gave, which was also part of the relief I requested on the complaints, was an accommodation meeting which included memorializing the agreed upon accommodations.

A meeting was held on January 25, 2016, which was supposed to be the meeting where this occurred. However the Board attorney, Ms. Slick, simply asked that the accommodations that were being requested be provided in writing to her so that she could discuss it with the administration, despite the fact that this information had been provided to the district at previous meetings. Therefore, no agreements were made and nothing was accomplished at this meeting. However, the parties did agree that at least one more meeting would be needed. Ms. Slick stated

that as soon as she received the document, she would confer with her client and provide possible dates for the next meeting. The document which outlined the accommodations being requested was provided to the district's attorney on February 11, 2016. It is now over a month after that document was provided to the district's attorney. To date, no contact has been made by Ms. Slick to hold any additional meeting(s) to address the request for accommodations.

As stated previously, the district failed to comply with BOE policy regarding the procedure for addressing these complaints. Despite this, I allowed the district to backtrack in the process in hopes that we could address and resolve the issues. Despite this, the district's attorney, Ms. Slick has failed to follow through on holding the needed meetings to address the complaints.

Based upon the lack of action by Ms. Slick and the administration, I feel it is necessary to move these complaints forward in the process. This letter and the attached documents serves as my appeal to the Superintendent as part of the Nondiscrimination and Equal Opportunity/Access Complaint Process.

Respectfully,

A handwritten signature in black ink, appearing to read "Nicole Poston". The signature is fluid and cursive, with the first name "Nicole" and last name "Poston" clearly distinguishable.

Nicole Poston  
Group Teacher

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Superintendent MCS

INTERNAL COMPLAINT - STEP 1

INVESTIGATION/CONFERENCE WITH CIVIL RIGHTS COORDINATOR

A CONFERENCE WAS HELD ON 11-4-15 AT 11:00 am  
12-14-15 (Date) 12:30 pm (Time)

AND MATTERS PERTAINING TO THE FOLLOWING ALLEGED COMPLAINT WERE DISCUSSED.

BRIEF DESCRIPTION OF ALLEGED COMPLAINT:

See attachments

DISPOSITION OF ALLEGED COMPLAINT:

See attachments

See attached

DISTRICT'S CIVIL RIGHTS COORDINATOR

DATE

IF YOU WISH TO APPEAL THIS DECISION TO THE SUPERINTENDENT, SIGN BELOW AND DELIVER TO THE SUPERINTENDENT'S OFFICE WITHIN FIVE (5) BUSINESS DAYS OF RECEIPT OF THE CIVIL RIGHTS COORDINATOR'S DECISION.

Nicole Pota 3-17-16  
COMPLAINANT DATE

Internal Office Use Only

DATE RECEIVED BY SUPERINTENDENT'S OFFICE: \_\_\_\_\_